

H. R. 192.

DECEMBER 18, 1822.

Read twice, and committed to a committee of the whole House
to-morrow.

A BILL

For the preservation and repair of the Cumberland Road.

1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled, That*
3 the President of the United States be, and he is hereby, au-
4 thorized to cause to be erected, on the National Road leading
5 from Cumberland, in the state of Maryland, to the river
6 Ohio, so many toll-houses, gates, and turnpikes, as, in his
7 opinion, will be necessary and sufficient to collect the duties
8 and tolls, hereinafter mentioned, from all persons travelling
9 on the same; to be erected at such places as he may deter-
10 mine: *Provided, That the number of such gates and turn-*
11 pikes shall not exceed twelve, nor be less than six; and that such
12 gates and turnpikes shall be erected at a distance not less than
13 ten miles from each other.

1 SEC. 2. *And be it further enacted, That, as soon as the*
2 said gates and turnpikes shall be erected, the President of the

3 United States is hereby authorized to appoint, or cause to be
4 appointed, a superintendent of said road, also toll-gatherers,
5 to demand and receive, for passing the said turnpikes, the tolls
6 and rates hereinafter mentioned; and may stop any person
7 riding, leading, or driving, any horses, cattle, hogs, sheep, sul-
8 key, chair, chaise, phaeton, cart, wagon, sleigh, sled, or other
9 carriage of burthen or pleasure, from passing through the
10 said gates, or turnpikes, until they shall, respectively, have
11 paid the same, that is to say: For every space of twenty miles
12 in length of the said road, the following sums of money, and
13 so in proportion for any greater or lesser distance, to wit:
14 For every score of sheep or hogs, six and a quarter cents; for
15 every score of cattle, twelve and a half cents; for every led or
16 drove horse, one cent; for every horse and rider, six and a
17 quarter cents; for every sleigh or sled, and for each horse or
18 ox drawing the same, three cents; for every dearborn, sulkey,
19 chair, or chaise, with one horse, twelve and a half cents; for
20 every chariot, coach, coachee, stage, wagon, phaeton, chaise,
21 or dearborn, with two horses and four wheels, eighteen and
22 three quarter cents; for either of the carriages last mentioned,
23 with four horses, twenty-five cents; for every other carriage
24 of pleasure, under whatever name it may go, the like sum, ac-
25 cording to the number of wheels and horses drawing the
26 same; for every cart or wagon, whose wheels do not exceed

27 the breadth of four inches, six and one-fourth cents for each
 28 horse or ox drawing the same; for every cart or wagon whose
 29 wheels shall exceed in breadth four inches, and not exceeding
 30 six inches, three cents for every horse or ox drawing the
 31 same; and every other cart or wagon, whose wheels shall ex-
 32 ceed six inches, shall pass the said gates free and clear of toll:
 33 *Provided*, That the President of the United States may au-
 34 thorize the superintendent of the road to commute the rates
 35 of toll with any person or persons, by taking of him or them
 36 a certain sum annually, in lieu of the tolls aforesaid. *And*
 37 *provided, also*, That nothing in this act shall be construed so
 38 as to authorize any tolls to be received, or collected, from any
 39 person passing to or from public worship, or to or from his com-
 40 mon business on his farm or woodland, or to or from a funeral, or
 41 to or from a mill: *And provided further*, That no toll shall
 42 be received, or collected, for the passage of any wagon or car-
 43 riage laden with the property of the United States, or any
 44 cannon or military stores belonging to the United States, to
 45 any of the States composing this Union, or any person or per-
 46 sons on duty in the military service of the United States, or the
 47 militia of any of the States.

1 SEC. 3. *And be it further enacted*, That the said toll-
 2 gatherers shall settle their accounts quarterly with the super-
 3 intendent of the road, and at all other times when thereunto

4 required; and shall at all times pay over to him, on demand, the
 5 amount of tolls by them collected; and it shall be his duty to
 6 account for the same, with the Secretary of the Treasury, once
 7 in each year, and quarterly if required. And the said super-
 8 intendent and toll-gatherers shall, respectively, give bond and
 9 security for the faithful discharge of their duties, and shall
 10 govern themselves by the rules and regulations which the
 11 President of the United States may from time to time pre-
 12 scribe.

1 **SEC. 4.** *And be it further enacted,* That the amount of
 2 tolls, after deducting therefrom the expenses and charges of
 3 collection, shall be applied, under the direction of the Presi-
 4 dent of the United States, to the repairs and preservation of
 5 said road, in such manner, and under such regulations, as he
 6 may from time to time prescribe, and to no other purpose
 7 whatever.

1 **SEC. 5.** *And be it further enacted,* That the superin-
 2 tendent of said road shall receive compensation for his ser-
 3 vices at the rate of hundred dollars per annum; and
 4 that the toll-gatherers on the said road shall, respectively, re-
 5 ceive compensation for their services, at the rate of twelve per
 6 cent. on the amount of tolls by them respectively collected:
 7 *Provided,* That the annual compensation of any toll-gatherer
 8 shall never exceed the sum of three hundred and fifty dollars;

9 nor shall the same be less, in any one year, than one hundred
10 and twenty dollars; and in case of any deficiency in the amount,
11 collected by any one toll-gatherer, below the sum of one hun-
12 dred and twenty dollars, the residue shall be paid out of the
13 tolls collected at the other gates on the road.